

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHANBUNTHAIT PROEUNG,

Petitioner,

No. CIV S-02-0626 GEB JFM P

vs.

GEORGE M. GALAZA, Warden,

Respondent.

ORDER

_____/

On February 16, 2006, petitioner filed a notice of change of address. That document was not served on respondents. Petitioner is advised that every document submitted to the court for consideration must be served on respondents. Fed. R. Civ. P. 5; Rule 11, 28 U.S.C. § 2254. As a prisoner proceeding pro se, petitioner is required to serve all documents in this action conventionally in accordance with the relevant provisions of Fed. R. Civ. P. 5. See Local Rule 5-135(b). Since an attorney has filed a document with the court on behalf of respondents, documents submitted by petitioner must be served on that attorney and not on the respondents. Fed. R. Civ. P. 5(b)(1). Conventional service is usually accomplished by mailing a copy of the document to the attorney's address of record. See Fed. R. Civ. P. 5(b)(2)(B). Petitioner must include with every document filed in this action a certificate stating the date an accurate copy of

////

1 the document was mailed to respondents' attorney and the address to which it was mailed. See
2 Local Rule 5-135(b) and (c).

3 Accordingly, IT IS HEREBY ORDERED that petitioner's February 16, 2006
4 notice of change of address has been noted in the court record. However, petitioner is cautioned
5 that failure to properly serve any documents subsequently filed in this action, and failure to
6 include a proper certificate of service with such filing, may result in a recommendation that this
7 action be dismissed.

8 DATED: March 6, 2006.

9
10 
11 UNITED STATES MAGISTRATE JUDGE

12 /mp;001; proe0626.35ch
13
14
15
16
17
18
19
20
21
22
23
24
25
26